

To: Saldenha, Jasmine[Saldenha.Jasmine@epa.gov]
From: Boydston, Michael
Sent: Wed 9/23/2015 8:53:18 PM
Subject: FW: Settlement Discussions

Deliberative Process/Ex. 5

Michael Boydston

Office of Regional Counsel, EPA Region 8

303.312.7103

From: Boydston, Michael
Sent: Wednesday, September 23, 2015 8:05 AM
To: Logan, Paul
Subject: RE: Settlement Discussions

Sorry, just saw this. On my way.

Michael Boydston

Office of Regional Counsel, EPA Region 8

303.312.7103

From: Logan, Paul
Sent: Tuesday, September 22, 2015 7:54 PM
To: Boydston, Michael
Subject: Fwd: Settlement Discussions

Can you attend an 8 am meeting on this in Suzanne's office? I won't yet be in.

Sent from my iPhone

Begin forwarded message:

From: "Bohan, Suzanne" <bohan.suzanne@epa.gov>
Date: September 22, 2015 at 5:00:30 PM MDT
To: "Card, Joan" <Card.Joan@epa.gov>, "Ward, W. Robert" <Ward.Robert@epa.gov>, "Logan, Paul" <Logan.Paul@epa.gov>
Subject: FW: Settlement Discussions

For our discussion tomorrow morning.

Suzanne

From: Sisk, Richard
Sent: Tuesday, September 22, 2015 4:34 PM
To: Bohan, Suzanne
Cc: Madigan, Andrea; Land, Kelcey; Urdiales, Aaron; Piggott, Amelia; Rudy, Michael; McCaffrey, Shawn
Subject: RE: Settlement Discussions

Deliberative Process/Ex. 5

Richard Sisk
Attorney
U.S. EPA Region 8
ENF-L
1595 Wynkoop
Denver, CO 80202-1129

Phone: 303-312-6638
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E-mail: sisk.richard@epa.gov

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From: Bohan, Suzanne
Sent: Tuesday, September 22, 2015 12:27 PM
To: Sisk, Richard
Cc: Madigan, Andrea; Land, Kelcey; Urdiales, Aaron; Piggott, Amelia; Rudy, Michael; McCaffrey, Shawn
Subject: RE: Settlement Discussions

Deliberative Process/Ex. 5

Thanks,

Suzanne

From: Sisk, Richard
Sent: Tuesday, September 22, 2015 11:08 AM
To: Bohan, Suzanne
Cc: Madigan, Andrea; Land, Kelcey; Urdiales, Aaron; Piggott, Amelia; Rudy, Michael; McCaffrey, Shawn
Subject: RE: Settlement Discussions

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From: Sisk, Richard
Sent: Monday, September 21, 2015 2:02 PM
To: Bohan, Suzanne
Cc: Madigan, Andrea; Land, Kelcey; Urdiales, Aaron; Piggott, Amelia; Rudy, Michael; McCaffrey, Shawn
Subject: FW: Settlement Discussions

Deliberative Process/Ex. 5

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From: David A. Cook [<mailto:lawbydave@gmail.com>]
Sent: Thursday, September 03, 2015 10:53 AM
To: Sisk, Richard
Subject: RE: Settlement Discussions

To get things started, here is a draft Settlement Agreement with the changes tracked.

David A. Cook
David A. Cook, P.C.
6 S Tejon St Ste 400
Colorado Springs, CO 80903
(719) 634-6736

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From: Sisk, Richard [<mailto:Sisk.Richard@epa.gov>]
Sent: Wednesday, September 02, 2015 2:35 PM
To: David A. Cook
Cc: Land, Kelcey; Madigan, Andrea; Rudy, Michael; McCaffrey, Shawn
Subject: RE: Settlement Discussions

Dave – Here is a copy of the current consent for access from Mr. Hennis.

Richard Sisk
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From: David A. Cook [<mailto:lawbydave@gmail.com>]
Sent: Wednesday, September 02, 2015 9:38 AM
To: Sisk, Richard
Subject: RE: Settlement Discussions

I understand that the EPA is beginning construction at Gladstone. Please send me the writing under which this construction is authorized.

David A. Cook
David A. Cook, P.C.
6 S Tejon St Ste 400
Colorado Springs, CO 80903
(719) 634-6736

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From: Sisk, Richard [<mailto:Sisk.Richard@epa.gov>]
Sent: Monday, August 31, 2015 3:13 PM
To: lawbydave@gmail.com
Cc: Madigan, Andrea; Rudy, Michael
Subject: Settlement Discussions

Dave – Good speaking with you this afternoon. To get discussions going, I am providing a link to one of EPA's model settlement documents. It is titled Cashout Settlement Agreement for Peripheral Party Settlements Not Based Upon Ability to Pay (CERCLA § 122(h) and AG Authority)

The link is http://cfpub.epa.gov/compliance/models/view.cfm?model_ID=536

This sort of settlement agreement may be appropriate for your clients situation and will give you an idea of where EPA and the US Department of Justice like to begin with settlement discussions.

Thanks

Richard Sisk
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